

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

Defendants both filed responses (Dkts. #149 and #152, respectively), and Plaintiffs filed a reply (Dkt. 159).

Having reviewed the report of the Magistrate Judge (Dkt. #138) and having considered Plaintiffs' timely filed objections, as well as Plaintiffs' Request for Reconsideration (collectively, the "Objections"), and the responses thereto, and conducted a *de novo* review, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the Objections are without merit as to the ultimate findings of the Magistrate Judge. The court hereby adopts the Magistrate Judge's report (Dkt. #138) as the findings and conclusions of the court.

Under Rule 65 of the Federal Rules of Civil Procedure, every order granting an injunction and every restraining order must set forth the reasons for its issuance; state its terms specifically; and describe in reasonable detail the act or acts sought to be restrained. FED. R. CIV. P. 65(d). As detailed in the Magistrate Judge's report, Plaintiffs failed to establish any of the four requirements for seeking injunctive relief:

- 1) a substantial likelihood of success on the merits;
- 2) a substantial threat that plaintiff will suffer irreparable harm if the injunction is not granted;
- 3) the threatened injury outweighs any damage that the injunction might cause the defendant; and
- 4) the injunction will not disserve the public interest.

Palmer v. Waxahachie Indep. Sch. Dist., 579 F.3d 502, 506 (5th Cir. 2009); *Nichols v. Alcatel USA, Inc.*, 532 F.3d 364, 372 (5th Cir. 2008). The report clearly outlines the basis for the Magistrate Judge's findings, and the court finds no error in the Magistrate Judge's conclusion that

Plaintiffs failed to establish a likelihood of success on the merits, or to establish any of the other elements required for injunctive relief.

Accordingly, it is **ORDERED** that Plaintiffs' Motion for Injunction (Dkt. #130) is **DENIED**.

So Ordered and Signed

Dec 1, 2017

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, United States District Judge